

ORIGINAL

In The
SUPREME COURT OF THE STATE OF NEW YORK
October Term, 1990
No.

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GEORGE SASSOWER,
Plaintiff-Petitioner,
-against-

CHARLES L. BRIEANT; NICHOLAS H. POLITAN;
16 LAKE STREET OWNERS, INC.; LAWRENCE J.
GLYNN; DENIS DILLON; WILLIAM C. CONNER;
EUGENE H. NICKERSON; ALVIN F. KLEIN;
DAVID B. SAXE; FRANCIS T. MURPHY; XAVIER
C. RICCOBONO; IRA GAMMERMAN; DONALD
DIAMOND; HOWARD SCHWARTZBERG; JEFFREY
L. SAPIR, and HAROLD JONES,
Defendants-Respondents.

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x-----x

PETITION FOR A WRIT OF CERTIORARI
TO THE CIRCUIT COURT OF APPEALS FOR THE
SECOND CIRCUIT

x-----x

x-----x

PETITION

x-----x

PRELIMINARY STATEMENT

1a. The statement in the Order of the Circuit Court of Appeals notwithstanding, jurisdiction in the Circuit Court was by virtue of a Notice of Appeal, not as an application for a writ for extraordinary relief, as can be easily confirmed by the notation in the upper right hand corner of said Order (A-5).

b. The petition to this Court is from said Order of the Circuit Court filed November 21, 1990 (A-5).

2a. Presented in this petition are some of the activities of Chief Judge CHARLES L. BRIEANT ["Brieant"] of the Southern District of New York, and as will be demonstrated herein, Chief Judge Brieant is probably the most dangerous federal judge in the United States, whose non-judicial activities

are lethal to the U.S. Constitution and the administration of justice.

b. The activities of Chief Judge Brieant include:

(1) intruding upon the jurisdictional bailiwick of an Article III judge, and without any due process procedures whatsoever, dismissing such action against his cronies;

(2) intruding upon the jurisdictional bailiwick of an Article I judge and other federal officials, and without any due process procedures whatsoever, directing them to apply an ad hoc procedures in that Court with respect to petitioner, including the direction of for the execution of false judicial papers and documents, and notwithstanding the specific constitutional mandate for "uniformity";

(3) without any due process procedures whatsoever directing that petitioner not be permitted to file any legal papers in the Southern District of New York absent judicial permission;

(4) "fixed" every Article III, Article I and U.S. Magistrate in the Southern District to refuse to consent, except by his consent, even when the proceeding was made as "of right";

(5) corrupting his former law partner, Chief Judge THOMAS C. PLATT ["Platt"] of the Eastern District of New York to enact similar procedures adopted for his district;

(6) "fixed" and corrupted federal judges in other circuits;

(7) physically excluded petitioner from the Federal Building and Courthouse in White Plains by an oral, non due process edit;

(8) engaged in disguised nepotism;

(9) corrupting the state and federal disciplinary tribunals;

(10) preventing restitution to the federal government of monies which were diverted to the private pockets of his cronies;

(11) actively participating in the extortion payments being made to his cronies; and

(12) many other similar criminal and impeachable activities.

QUESTIONS PRESENTED

1a. Can Chief Judge Brieant impair, impede, prejudice and/or defeat the constitutional and statutory review powers of this Court by prohibiting petitioner's access to the District Court?

b. Can Chief Judge Brieant, operating in tandem with the Circuit Court of Appeals, impair, impede, prejudice and/or defeat the constitutional and statutory review power of this Court by prohibiting petitioner's access to the District Court?

2a. Can Chief Judge Brieant impair, impede, prejudice and/or defeat the powers of this Court by issuing oral edicts, by having court employees reject petitioner's papers and/or "fixing" judges in his district not to render decisions?

b. Can Chief Judge Brieant, operating in tandem with the Circuit Court of Appeals, impair, impede, prejudice and/or defeat the power of this Court by issuing oral edicts, by having court employees reject petitioner's papers and/or "fixing" judges in his district not to render decisions?

3. Where Chief Judge Brieant, in his administrative capacity, in December of 1987, without even the pretense of due process, (a) intruded upon the independent judicial bailiwick of another Article III judge and dismissed petitioner's action pending therein; then (b) intruded upon the judicial bailiwick of an Article I Judge and directed such judge to execute false papers closing out petitioner's bankruptcy proceeding; and (c) simultaneously attempted to immunize his actions by prohibiting the filing by petitioner of any complaint, motion or document without judicial permission, must petitioner's petition herein be granted, petitioner's verified complaint ordered to be filed and the Administrator Brieant-created situation reviewed and judicially remedied?

4. Must this petition be granted, petitioner's verified complaint ordered filed and the Administrator Brieant-created situation remedied judicially, where Administrator Brieant's "judicially intrusive", "no due process" actions were the result of (a) petitioner having "caught", once again, a "judicial fixing" operation by the admittedly disqualified U.S. District Court Judge WILLIAM C. CONNER ["Conner"]; (b) the exercise by petitioner of his right to amend his complaint, as

of course, to include Judge Conner as a Dennis v. Sparks (449 U.S. 24 [1980]) co-defendant?

5. Where Administrator Brieant thereafter, in August 1989, again without any pretense of due process, issued an edict which permanently excluded petitioner from the Federal Building in White Plains, New York 10601, except by his permission or the permission of U.S. District Judge NICHOLAS H. POLITAN ["Politan"] of the District of New Jersey, must petitioner's petition herein be granted, petitioner's verified complaint ordered to be filed and the Administrator Brieant-created situation reviewed and judicially remedied?

6. Must this petition be granted, petitioner's verified complaint ordered filed and the Administrator Brieant-created situation remedied judicially, where Administrator Brieant's permanent physical exclusion edict followed newspaper and T.V. publication of petitioner's exposure of judicial misconduct and corruption?

7. Must this petition be granted, petitioner's verified complaint ordered filed and the Administrator Brieant-created situation remedied judicially, where Administrator Brieant's permanent physical exclusion edict followed petitioner's publication of Administrator Brieant's involvement, with Presiding Justice FRANCIS T. MURPHY ["Murphy"], in the larceny of the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], criminal extortion and his involvement in "disguised nepotism"?

8. Where almost every local jurist is aware that Administrator Brieant is criminally involved with KREINDLER & RELKIN, P.C. ["K&R"] and FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"] in the larceny of judicial trust assets, criminal extortion, and other racketeering activities, and these other jurists are constrained to act in order to advance Administrator Brieant's adventures, must petitioner's petitions be granted and the integrity of the machinery of justice restored?

9. Could Administrator Brieant, in his administrative capacity, lawfully intrude upon the independent judicial bailiwick of another Article III judge, and without notice, without opportunity to oppose, without any due process whatsoever, dismiss petitioner's action assigned to and pending before such other Article III judge?

10. Could Administrator Brieant, as part and parcel of such "no due process" edict, lawfully decree that any new action commenced by petitioner in the Southern District of New York would require prior judicial approval?

11. Could such prior judicial approval edict by Administrator Brieant be construed to include a proceeding to declare null and void the Judge Brieant "no due process" dismissal and the "prior judicial approval" edicts?

12. In view of the commerce clause, the privilege and immunities clause, the Fifth Amendment and/or other constitutional prerogatives, do each of the 94 district courts have the individual power to exclude certain individuals and/or

types of claims, otherwise properly before such court from their obligation to adjudicate?

13. Could Administrator Brieant, the day following the dismissal edict, again without any due process procedures, effectively direct the U.S. Trustee, the Bankruptcy Trustee and the Bankruptcy Judge to execute false and deceptive judicial papers and close out petitioner's bankruptcy proceeding, also without due process?

14. Could Administrator Brieant, as part of such "no due process" edict, also lawfully decree that petitioner was not to file any papers in such bankruptcy proceeding without prior judicial consent?

15. Could such "prior judicial approval" decree by Administrator Brieant be construed to include a F.R.Civ.P. Rule 60(b)[4][6] motion and/or action [Bankruptcy Rule 9024]?

16. Could Administrator Brieant thereafter, with no judicial proceedings pending in the Southern District of New York, sua sponte, without notice, without any due process procedures whatsoever, lawfully decree that petitioner, a native born American citizen and battle-starred veteran of World War II, be physically barred from the Federal Building in White Plains, unless he obtains Administrator Brieant's permission and/or the permission of Judge Politan of New Jersey?

17. Under the aforementioned no due process edict of Administrator Brieant, could petitioner be physically excluded from attending a judicial proceeding pending in such Federal Building in White Plains wherein his daughter is a party,

involving her apartment, an apartment wherein petitioner resides, and the allegations in such litigated action in part center around allegations of petitioner's notoriety?

18. Under the aforementioned no due process edict of Administrator Brieant, could petitioner be physically excluded from filing a petition of bankruptcy, as is his unbridled constitutional and statutory right, except with the permission of Administrator Brieant and/or Judge Politan?

19. Under the aforementioned no due process edict of Administrator Brieant, could petitioner be physically excluded from inspecting his papers and his files housed in the Federal Building, except with the consent of Administrator Brieant and/or Judge Politan?

20. Could Administrator Brieant lawfully select the jurist who would review petitioner's complaint, which complaint included money damage claims against Administrator Brieant based upon his non-judicial misconduct?

21. Where petitioner's complaint complied with the condition set forth in Administrator Brieant's edict, although petitioner claimed the condition unlawful and/or inapplicable, could Judge Brieant's "selectee" refuse to authorize the filing of petitioner's complaint on the sole ground that it was "vexatious" without affording petitioner an opportunity to respond?

22. Assuming, arguendo, petitioner's complaint is "vexatious", could such ground be employed as the only ground for

denying petitioner access to the court where the relief requested, equitable and legal, is irresistibly compelling?

23. Where almost every filed action is automatically "vexatious" to the defendants and/or respondents, is petitioner deprived of "due process" [equal protection] where he is deprived to access to the court for that reason?

24. Where Administrator Briant is an active and viable defendant, including for money damage claims, did his charted procedures for petitioner's securing "judicial consent" satisfy the "appearance of justice"?

25. Could this Court's holding in Dennis v. Sparks (supra) be lawfully circumvented by an administrative "no due process" edict which denies access to the court to the victim against the administrator's lay co-conspirators, even when the relief sought is equitable as well as legal?

26. Could a judicial administrator lawfully immunize his own tortious conduct by a "no due process" edict which denies access to the court to the victim?

27a. Could a court, judge and/or administrator lawfully enjoin, deny and/or preclude, by "no due process" edicts, access to the court for Rule 60(b)[4][6] relief, where there are corrupt judicial involvements in the underlying judgments, orders and/or decrees?

b. Could a court, judge and/or administrator lawfully enjoin, deny and/or preclude access to the court in order to invalidate criminal convictions where there are corrupt judicial involvement in the convictions obtained?

28. Could a court, judge and/or administrator lawfully enjoin the mandatory requirement that a court-appointed receiver "account" for his stewardship, particularly when it is manifestly obvious, indeed admitted, that such assets were employed to corrupt state and federal jurists and officials?

29. Could a court, judge and/or administrator lawfully impose penal or quasi-penal sanctions while ignoring basic procedural guarantees, criminal or civil?

30. Could a court, judge and/or administrator lawfully impose penal or quasi-penal sanctions in retaliation for the exercise of First Amendment rights and mandatory professional obligations?

31. Except for res judicata and/or collateral estoppel may any court impose a more restrictive filing standard than that set forth in Neitzke v. Williams (490 U.S. , 109 S.Ct. 1827 [1989])?

THE PARTIES

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Appellant
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Chief Judge CHARLES L. BRIEANT
Defendant
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OPINIONS BELOW

1a. As to whether petitioner's complaint violated a "1985 injunction", an injunction issued in a proceeding wherein petitioner was not a party, his interests were not in issue, all pre-trial disclosure were stayed, no trials nor hearings ever took place, and petitioner was not permitted to appeal, Chief Judge Brieant referred the matter to U.S. District Judge THOMAS P. GRIESA ["Griesa"] for determination.

b. While the opinion of Judge Griesa notes that petitioner in his complaint "attacks" the "Judge Conner 1985 order and Chief Judge Brieant's 1987 order" (A-3), he denied petitioner's filing stating (A-4):

"Although Sassower has avoided violating the literal terms of Judge Conner's 1985 order by not suing any of the persons specifically protected by that order, the basic problem addressed by Judge Conner is presented in the new proposed complaint. It has no place in a court of law and is merely one more in a long line of vexatious proceedings by Sassower."

c. The courts below never made any attempt to limit their power to the holding in Neitzke v. Williams (490 U.S. , 109 S.Ct. 1827 [1989]).

2. The Circuit Court denied petitioner's appeal without any articulated opinion (A-5).

JURISDICTION

- (i) Decree of the Circuit Court: November 21, 1990
- (ii) None.
- (iii) Not Applicable
- (iv) 28 U.S.C. §1254(1)

CONSTITUTIONAL-STATUTORY PROVISIONS

1. Article I, §8 of the U.S. Constitution provides that:

"The Congress shall have the power [3] to regulate commerce ... among the several states ... [4] to establish ... uniform laws on the subject of bankruptcies throughout the United States. [9] to constitute tribunals inferior to the Supreme Court. [17] To exercise exclusive legislation in all cases whatsoever ... purchased ... other needful buildings. [18] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

2. Article III of the U.S. Constitution provides:

"§1 The judicial power of the United States, shall be vested in one Supreme Court and §2[1] The judicial power shall extend in all cases, in law and equity, arising under this Constitution"

3. Article IV, §2 of the U.S. Constitution provides that:

"The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

4. Article VI[2] of the U.S. Constitution provides that:

"This Constitution and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

4. The First Amendment of the U.S. Constitution provides that:

"Congress shall make no law respecting ... abridging the freedom of speech ... or the right of

the people peaceably to assemble, and to petition the Government for a redress of grievances."

5. The Fifth Amendment of the U.S. Constitution provides that:

"No person shall ... be deprived of ... liberty, or property, without due process of law ...".

6. 28 U.S.C. §1254 provides:

"Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: (1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; (2)"

STATEMENT OF THE CASE

1a. The bottom line is that Chief Judge Brieant has and is prepared to do whatever is necessary, no matter how unconstitutional, unlawful or barbaric, in order to advance a privately motivated criminal racketeering adventure and to conceal its existence.

b. Although the complaint tendered by petitioner for filing tracks the involvement of Chief Judge Brieant to the point of such complaint, more recent events confirm that this racketeering enterprise is more extensive, more complex, and more egregious.

2. Intended or otherwise, the action of Chief Judge Brieant with the mirrored action of the Circuit Court of Appeals, reveals, an unlawful encroachment upon the constitutional review powers of this Court.

a. Where, as here, the District Court and Circuit Court of Appeals have barred petitioner from filing any legal papers in their respective courts, the merits of petitioner's

cases can never be heard by this Supreme Court since this Court's power of review depends, at a minimum, on being "in" the Circuit Court (28 U.S.C. §1254[1]).

b. Where, as here, the edicts of Chief Judge Brieant are oral, the petitioner cannot run the barrier of the Clerk of this Court for an extraordinary writ who insists on being appended to petitioner's application "a copy of the judgment or order" (Rules of the Supreme Court of the United States, Rule 20.3).

2. The facts, as set forth, in petitioner's tendered complaint for filing are as follows:

a. In or about November of 1987, petitioner "caught", once again, the admittedly disqualified U.S. District Judge WILLIAM C. CONNER ["Conner"] of the Southern District of New York, "fixing" a judicial proceeding.

b. This time the judicial proceeding was pending before U.S. District Judge CHARLES S. HAIGHT, JR. ["Haight"] of the Southern District of New York.

c. Indeed copies of such Judge Conner "fixing" memorandum to Judge Haight, "Bill to Terry", was circulated to others as well, including Judge Brieant, Judge GERARD L. GOETTEL, and Bankruptcy Judge HOWARD SCHWARTZBERG ["Schwartzberg"].

d. The Judge Conner "fixing memorandum" was distributed on behalf of K&R and FKM&F after an ex parte meeting with FKM&F, on behalf of themselves and their co-conspirators, with respect to the matter pending before Judge Haight.

e. As a consequence thereof, as a matter of course, petitioner amended his complaint to add "Conner, The Fixor", as a Dennis v. Sparks (supra) co-defendant.

f. Since petitioner was very familiar with the Dennis v. Sparks (supra) holding, he did not include Judge Haight, "The Fixee", as a party defendant.

h. Administrator Brieant who was also exerting improper influence on behalf of K&R and FKM&F, seized upon the occasion of the amendment of petitioner's complaint, to dismiss the action before Judge Haight case.

i. At all times, both before and after the Administrator Brieant dismissal, petitioner's action was before Judge Haight and no one else.

j. The Administrator Brieant published "diatribe", in justification thereof, was based upon the false, contrived, fabricated and concocted premise that:

"Judge Haight himself has been added to the case as a defendant [by petitioner] ..".

k(1) Thus, based upon such false, contrived, fabricated and contrived premise, which also shielded Judge Conner, by a "no due process" procedure, which Administrator Brieant himself knew was a nullity, Administrator Brieant could further state that the:

"inclusion of the assigned judge [Judge Haight] as an additional defendant had the effect, and probably the purpose of disrupting the orderly judicial decisional process of the district court."

(2) Instructively, although petitioner's complaint correctly sets forth the facts, Judge Griesa in his opinion

repeats this canard concerning the inclusion of Judge Haight as a party defendant.

l. Still without any due process procedures, Administrator Brieant also decreed (A-14):

"The Clerk of this Court is hereby ORDERED not to accept for filing any paper or proceeding or motion or new case of any kind presented by Mr. George Sassower, or naming him as a party plaintiff or petitioner, without the leave in writing first obtained from a judge or magistrate of this Court who shall have examined such paper to assure that it is not in violation of the 1985 ["Conner"] injunction."

m. Petitioner was not a party to the 1984 action before Judge Conner (Raffe v. Doe, 619 F. Supp. 891 [SDNY-1985]), verified by its title, and petitioner's interests were not placed in issue in the filed complaint.

n. There were no trials or hearings in such Judge Conner action, and immediately after the filing of the complaint, all pre-trial disclosure on behalf of plaintiff therein were stayed.

o. About sixteen months later, Judge Conner issued his injunctive order against petitioner, a non-party, and HYMAN RAFFE ["Raffe"], in addition to imposing Rule 11 costs on both of them.

p. Petitioner filed notices of appeal and K&R and FKM&F threatened Raffe that unless he paid them millions of dollars, discontinued his appeal, executed releases in favor of, inter alia, the federal judges in the Eastern and Southern Districts of New York, he would be incarcerated under triales convictions.

q. Raffe succumbed, stipulated to discontinue his appeals, and notwithstanding the Rule 11 costs and injunction imposed on petitioner, the Circuit Court refused to allow petitioner to prosecute the appeal on his own behalf.

r. Clearly a 1985 injunction could not immunize post-1985 conduct by K&R and FKM&F, as set forth in the complaint before Judge Haight.

s. In any event, petitioner's 1990 complaint did not include K&R or FKM&F as defendants and therefore did not violate the Judge Conner injunction, as Judge Griesa conceded.

t. The day after the Administrator Brieant ukase, again without any pretense of due process or authority, Administrator Brieant invaded the bailiwick of Bankruptcy Judge Schwartzberg, an Article I jurist, and directed that in the bankruptcy proceeding before His Honor that (A-14):

"No further papers are to be filed under this docket number by Mr. Sassower ... without leave in writing first obtained from a Judge or Magistrate."

u. This Administrator Brieant direction, and other "fixing" operations by Administrator Brieant, Judge Conner and others, were clearly intended as "marching orders" to Judge Schwartzberg, bankruptcy trustee JEFFREY L. SAPIR, Esq. ["Sapir"], and U.S. Trustee HAROLD JONES ["Jones"], that they should execute false federal documents and papers, which they did, asserting, inter alia, that petition's estate contained "no assets", and terminate petitioner's case, also without any pretense at due process.

v. This Administrator Brieant edict, and other "fixing" operations by Administrator Brieant, Judge Conner, and their co-conspirators, were also intended, and perceived by Judge Schwartzberg, as a direction not to entertain those motions which petitioner might make as a matter of right under, inter alia, Rule 59 and 60 of the Federal Rules of Civil Procedure, and/or as mirrored in the Bankruptcy Rules [Bankruptcy Rule 9024].

w. In or about August of 1989, under a conspiratorial arrangement made by and between Administrator Brieant and Judge Politan of New Jersey, without even a pretense of due process or lawful authority, by oral edict, not made in petitioner's presence or knowing, Administrator Brieant ordered that petitioner be physically excluded, as he thereafter learned, from the entire Federal Building in White Plains, and each and every part thereof, "unless his [petitioner's] physical presence is actually required", as Administrator Brieant, six (6) months later, wrote.

x. Permission for petitioner's physically admittance to the Federal Building in White Plains when "actually required" must be obtained from either Administrator Brieant or Judge Politan.

y(1) As petitioner's complaint sets forth, there has been and is pending in such Federal Building, before Judge Goettel, proceedings related to the non-acceptance of petitioner's daughter as a tenant wherein petitioner resides.

(2) Essential allegations for the non-acceptance of petitioner's daughter as a tenant is bottomed on petitioner's

notoriety resulting from his exposure of judicial and prosecutorial misconduct.

(3) Obviously the inability of petitioner's physical attendance is extraordinarily prejudicial, in addition to being patently unlawful.

(4) By reason of such administrative ukases, petitioner is prevented from filing a petition in bankruptcy and is being denied access to his files and papers being housed in the Federal Building in White Plains.

3a. The admitted disqualification of Administrator Briant to adjudicate the application, extends to a disqualification to designate the jurist to review the petition.

b. Clearly, Administrator Briant was not going to designate a jurist who was going to permit the filing of an action which seeks money damages against the Chief Judge.

REASONS FOR THE GRANT OF THIS WRIT

1. There can be no more important pending petition in this Court than the series of petitions being brought by the petitioner, all of which involve the integrity of machinery of justice.

a. Through the purported exercise of administrative power, no judge can constitutionally intrude upon the judicial independence of any Article III or the quasi-independence Article I jurist, as has Chief Judge CHARLES L. BRIEANT at bar.

(1) Without any pretense of due process, Judge Briant dismissed an action pending before Judge Haight and simultaneously attempted to immunize his own misconduct and those

of his cronies by an edict which denied access to the court to the petitioner to remedy the situation.

(2) Without any pretense of due process, Judge Brieant directed the U.S. Trustee, the Bankruptcy Trustee and the Bankruptcy Judge to execute false and deceptive papers in order to close out a case, and simultaneously attempted to immunize such misconduct by an edict which made judicial permission to nullify his administrative action.

(3) Subsequent petitions will disclose substantially other intrusive acts of misconduct by Judge Brieant and other jurists.

(4) The core of the opinion of Mr. Justice [now Judge] Titone in Balogh v. H.R.B. Caterers (88 A.D.2d 136, 452 N.Y.S.2d 221 [2d Dept.-1982]), which this Court should clearly endorse, is (at p. 141-2, 225):

"We deem it essential at this time to voice our strong disapproval of the Trial Judge in surrendering his responsibility to determine ... relying instead upon instructions from the Administrative Judge. ... A judge may not delegate or surrender his judicial authority to someone else by administrative order or otherwise ... but must exercise such authority himself."

b. The judicial robe is not an emolument of exalted office for the purpose of "fixing" other jurists, as is the practice of Chief Judge Brieant and Judge Conner.

(1) Related petitions by petitioner will reveal numerous examples of "fixing" by jurists and the sophisticated manner by which it is now being practiced in Second and other Circuits.

(2) There can be nothing as lethal to due process as a "fixed" court or jurist.

2a. The physical exclusion of petitioner from the Federal Building in White Plains by Judge Brieant and Judge Politan, again without any pretense of due process, is nothing less than usurped power run totally amok, and denies to petitioner of a "liberty" interest without due process.

b. Petitioner's physical exclusion from the Federal Building in White Plains was witnessed by a prominent reporter, is a situation also known by several congressman, the public and places the judiciary in disrepute.

c. Such disrepute is augmented by petitioner's inability to gain access to the court to have such physical exclusion order nullified.

3. Petitioner's physical exclusion from the Federal Building in White Plains triggers collateral legal problems:

a. All criminal proceedings in such Federal Building are potentially infirm.

b. The civil proceedings before Judge Goettel, with petitioner's daughter a party, revolving in great part on petitioner's notoriety, is also probably infirm.

c. The inability of petitioner to gain access to various documents housed therein impairs petitioner to fully present his cases, rendering all petitioner's proceedings subject to a plea of extrinsic fraud.

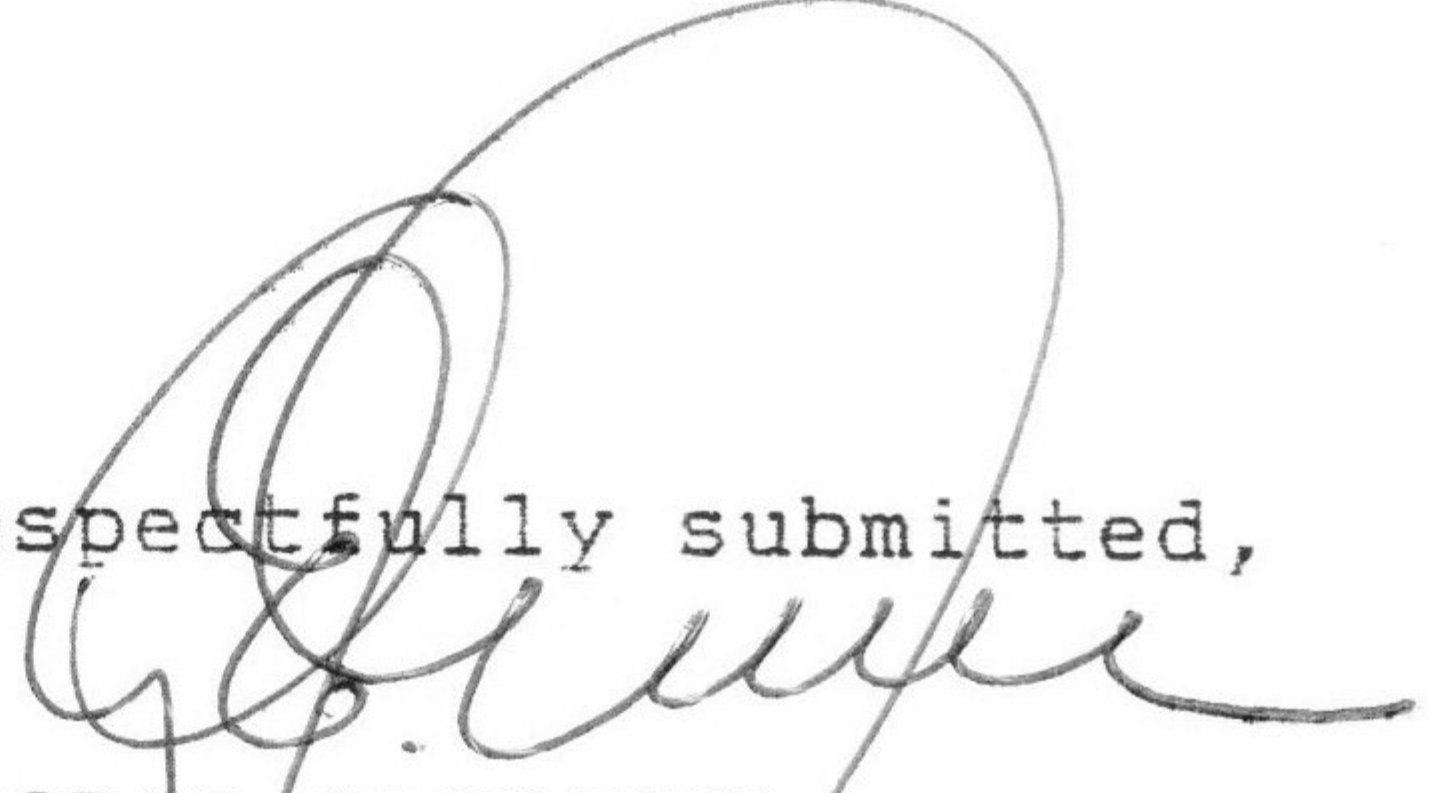
4. Judicial despotism by refusal to give obedience to

"due process" requirements is not unknown to the law (Bushell's Case, 124 Eng. Rep. 1006 [1670]).

5. Other reasons for the grant of this and subsequent petitions are more appropriately set forth in subsequent petitions.

Dated: February 14, 1991

Respectfully submitted,

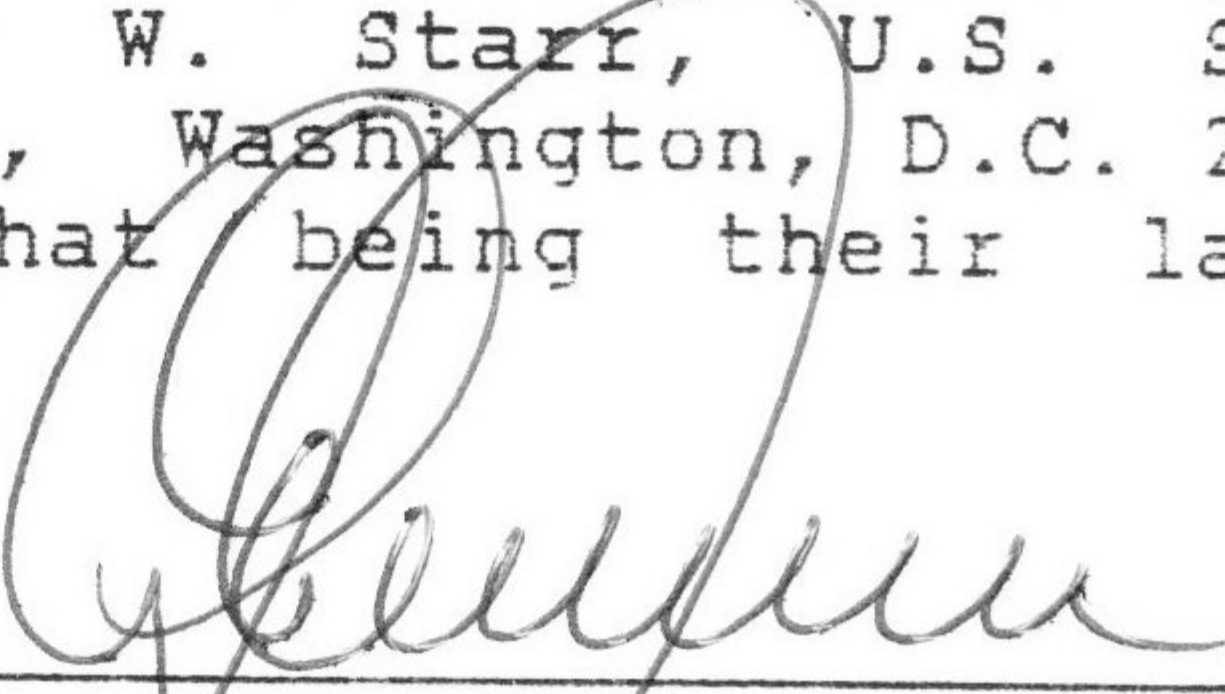


GEORGE SASSOWER
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914-949-2169

CERTIFICATION OF SERVICE

On February 16, 1991, I served a true copy of this Petition by mailing same in a sealed postage paid envelope, first class, addressed to Hon. Kenneth W. Starr, U.S. Solicitor General 10th & Constitution Ave., Washington, D.C. 20530 and Chief Judge Charles L. Brieant, that being their last known addresses.

Dated: February 16, 1991



GEORGE SASSOWER
Petitioner, pro se
16 Lake Street,
White Plains, N.Y. 10603
(914) 949-2160

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In the Matter of : M-49 (TPG)
GEORGE SASSOWER :
-----X

On August 1, 1990 the office of Chief Judge Brieant received from George Sassower a proposed order bearing the caption

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
----- X

George Sassower,
Plaintiff,

- against -

Charles L. Brieant; Nicholas H. Politan; 16 Lake Street Owners, Inc.; Lawrence J. Glynn; Denis Dillon; William C. Conner; Eugene H. Nickerson; Alvin F. Klein; David B. Saxe; Francis T. Murphy; Xavier C. Riccobono; Ira Gammerman; Donald Diamond; Howard Schwartzberg; Jeffrey L. Sapir, and Harold Jones,
Defendants.

-----X

The proposed order was accompanied by a complaint which Sassower wished to file by way of commencing an action in this court. Sassower was requesting the Chief Judge to direct the clerk of the court to accept the complaint in this action for filing and processing. On August 7, 1990 Chief Judge Brieant signed an

order referring the matter to me as Acting Chief Judge, since Brieant is one of the defendants in the proposed action.

The reason for the submission of this proposed order is as follows. On October 11, 1985 Judge William C. Conner of this court handed down an opinion and an order in an earlier action. Raffe v. Doe, 619 F. Supp. 891 (S.D.N.Y. 1985). The opinion described Sassower's abuse of the processes of various courts in actions and motions in connection with the judicial dissolution of a company named Puccini Clothes, Ltd. Judge Conner entered an order against Sassower prohibiting him from instituting any action or proceeding in any federal court against certain parties or anyone connected with these parties if the subject matter of the action and proceeding arose out of affairs of Puccini Clothes, Ltd.

In 1987 Sassower brought a new action naming as defendants several of the parties protected by Judge Conner's injunction. This time Sassower also joined Judge Conner as a defendant. The case was assigned to Judge Charles S. Haight, Jr. Thereupon Sassower added Judge Haight as a defendant.

On December 10, 1987 Judge Brieant, in his capacity as Chief Judge and Chairman of the Assignment Committee of the court, issued an order dismissing the action, finding that it violated Judge Conner's 1985 order. The order further directed

that the clerk of the court should not accept for filing any paper or proceeding or motion or any case presented by Sassower, or naming him as a party plaintiff or petitioner, without obtaining written authorization from a judge or magistrate of this court, who was to examine the submission to assure that it was not in violation of the 1985 order.

The proposed complaint now presented for filing names four federal district judges - Charles L. Brieant and William C. Conner of the Southern District of New York; Eugene H. Nickerson of the Eastern District of New York; and Nicholas H. Politan of the District of New Jersey. Another defendant is Bankruptcy Judge Howard Schwartzberg of the Southern District. Certain New York State judges are sued, including Francis T. Murphy, Presiding Justice, Appellate Division, First Department.

The proposed complaint attacks Judge Conner's 1985 order and Chief Judge Brieant's 1987 order. Moreover, it is asserted that federal judges are engaged in a racketeering enterprise with state judges and officials to deny Sassower access to the courts. The complaint alleges that one result of all this activity was the approval of the accounting of a court-appointed receiver for Puccini Clothes, Ltd., despite the fact that such accounting was improper and the assets of Puccini Clothes, Ltd. had been improperly dissipated.

In addition to these allegations, there are outpourings of abuse charging corrupt collusion of Southern District Judge Gerard L. Goettel (not named as a defendant) and Judge Brieant in regard to a real estate interest of Sassower in White Plains.

Although Sassower has avoided violating the literal terms of Judge Conner's 1985 order by not suing any of the persons specifically protected by that order, the basic problem addressed by Judge Conner is presented in the new proposed complaint. It has no place in a court of law and is merely one more in a long line of vexatious proceedings by Sassower.

The proposed order permitting the filing of this new action will not be signed.

SO ORDERED.

Dated: New York, New York
August 13, 1990



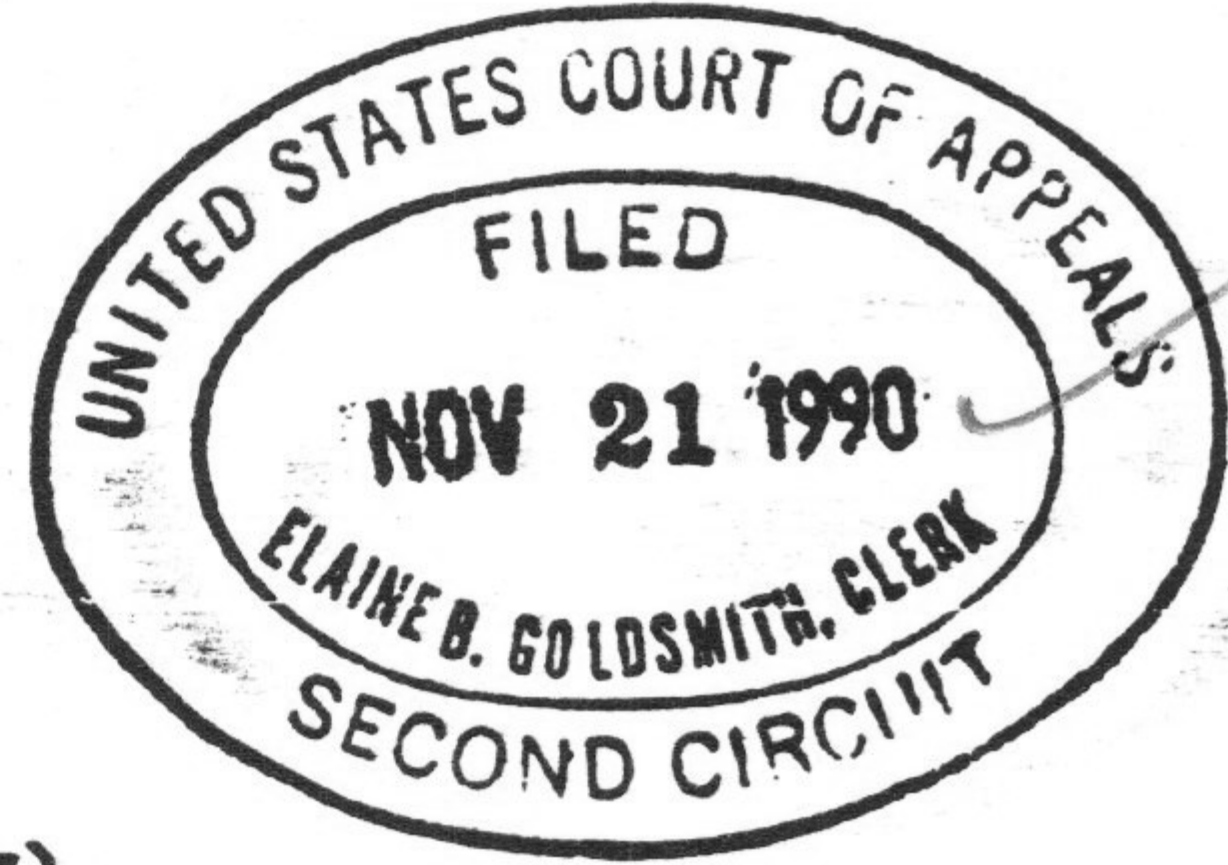
THOMAS P. GRIESA
Acting Chief Judge

United States Court of Appeals

FOR THE
SECOND CIRCUIT

SDNY
Briant
90 M 120

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse in the City of New York, on the twenty-first day of November one thousand nine hundred and ninety.



In the Matter of the Application of
GEORGE SASSOWER,
Petitioner,
For a Writ of Mandamus and Prohibition

No. 90-3063

A motion having been made herein by the petitioner pro se for leave to proceed in forma pauperis, and a writ of mandamus

Upon consideration thereof, it is

Ordered that said motion for leave to proceed in forma pauperis is granted for the limited purpose of permitting the petition for mandamus to be filed; the petition for mandamus is denied.

J. Edward Lumbard / ALK

Joseph M. McLaughlin / ALK
Circuit Judges

A TRUE COPY
ELAINE B. GOLDSMITH

Elaine B. Goldsmith
Clerk

ALK JEL JMCL

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NOV 27, 1990